AGENDA ITEM: <u>2c</u>

DISCUSSION ITEM TITLE:

RAND's Report Regarding Deputy Cliques and Other Related Matters

EXECUTIVE SUMMARY:

For decades, groups of Los Angeles County Sheriff's Department (LASD) deputies have organized themselves into secret subgroups, some of which have allegedly committed illegal acts or violated departmental policy. Although LASD has acknowledged that these groups exist, their purpose and actions within the Department remain unclear. To better understand this issue, Los Angeles County Counsel commissioned the RAND Corporation (RAND) to conduct an independent research study on deputy subgroups to help the County and LASD learn more about how subgroups have affected community perceptions and trust. The study evaluated how the subgroups are formed, why they exist, and what actions may be taken to address the subgroups.

BACKGROUND:

On March 12, 2019, the Los Angeles County Board of Supervisors (Board) directed the Inspector General, the Sheriff Civilian Oversight Commission (Commission), County Counsel, and all relevant stakeholders to complete a comprehensive study of these groups. On June 5, 2019, County Counsel contracted with RAND to conduct the study. RAND submitted the <u>final report</u> (RAND Report) to the Board on September 10, 2021 and made a <u>presentation</u> at the September 28, 2021 Board meeting.

In addition to providing evidence of the continued existence of deputy gangs, the RAND Report offered insight into their impact within and outside of the Sheriff's Department and the significant institutional hurdles that prevent the Sheriff's Department from taking meaningful action to address them. Among the RAND Report's findings are that—despite the long history of violence and division caused by deputy gangs—most deputies still believe they are a positive force in the department, and only 37 percent support prohibiting them.¹ The RAND Report illustrates that deputies recognize that deputy gang membership glorified and rewarded unnecessary violence, including getting involved in physical fights with individuals in custody rather than deescalating.²

² Ibid. (pg. 101)

¹ RAND Corporation Study. Retrieved at http://file.lacounty.gov/SDSInter/bos/supdocs/161722.pdf (page 165)

The reported conduct of deputy gang members included "intimidating or harassing fellow deputies, not following protocols with respect to writing reports, planting evidence, bending the rules or cutting corners to justify aggressive policing, cutting corners on reporting, not providing sufficient backup when calls are made, and excessive or unnecessary use of force." Nonetheless, the majority of deputies view this impact as motivational and not harmful. However, the RAND Report cited a long-standing failure to discipline for various forms of misconduct against the public as one of the institutional failings that permitted deputy gangs to take hold. It also found that attempts to impose discipline were also undermined by established gangs, such that "supervisor[s] who try to clamp down on potential foul play among deputies faced animosity and pushback."

The RAND Report found that "challenges associated with subgroups sit within a broader organizational context that involves general challenges with supervision, training, discipline, and other department characteristics, such as fragmentation and the traditions that surround subgroups. This is particularly challenging in an organization as large and complex as LASD." The RAND Report further recognized the need to address "more general misconduct" extending beyond activities that can be directly attributed to deputy gangs. There is an urgent need for more significant structural change to address the underlying issues that have created the conditions for gangs to flourish unchecked for decades. If, as the RAND Report theorized, policies that attempt to prohibit deputy gangs result in heightened secrecy around them, it may make individuals and conduct associated with deputy gangs even more challenging to identify than currently.

RECOMMENDATION/CONCLUSION:

The COC repeatedly has expressed concerns about subgroups in the department, calling it a "significant problem." The Sheriff's Department's adopted policy still does not explicitly prohibit the existence of deputy gangs. It does not require the Sheriff's Department to identify groups that violate its terms and does not require cooperation with outside investigators such as the Inspector General or the California Attorney General. The Commission strongly advocates that LASD

³ Ibid. (pg. 115)

⁴ Ibid. (pg. 136)

⁵ Ibid. (pg. 137)

⁶ Ibid. (pg. 114)

⁷ http://file.lacounty.gov/SDSInter/bos/supdocs/161722.pdf (page 168)

implement a policy that restricts membership in these groups, including unanimously supporting the Civilian Oversight Commission's Proposed Policy Prohibiting Deputy Cliques.⁹

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⁹ "Civilian Oversight Commission's Proposed Policy Prohibiting Deputy Cliques," retrieved from: http://file.lacounty.gov/SDSInter/bos/supdocs/COC sProposedPolicyandPreambleregardingDeputyCliquesApproved4-15-21.pdf